IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 3428 of 2005

Between:

1 Ch. Anuradha W/o Suresh
Durga Mahila mandali R/o Sitharamapuram, Ongole,
Prakasam District
2 Pulla Adilaxmi W/o Pulla Raghava
R/o Kabadipalem, Ongole, Prakasam District

..... PETITIONERS

AND

1 The Commissioner, A.P. Vaidya Vidhana Parishad, Sultan Bazar, Hyderabad.
2 The District Co.ordinator of Hospatial Services, District head Quarters Hospital, Ongole, Prakasam District
3 The Medical Superintendent, District Hospital Ongole, Prakasam District.
4 The Medical Superintendent, MCH. Hospital, Ongole, Prakasam District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue order or orders, direction or directions, Writ or writs particularly one in the nature of Writ of mandamus and declare the action of the respondents in proposing to award of contract of sanitation, cleaning of toilets and floor areas of 3rd and 4th respondent hospitals basing on the lapsed tender notification dt 4-2-2004 is as illegal, arbitrary and violative of Article 19(1) (G) & 21 of the Constitution of India and consequently direct the respondents to issue fresh tender notification for fresh period for allotting tenders.

Counsel for the Petitioner:MR.BADANA.BHASKARA RAO

Counsel for the Respondents : MR.K.L.N.SWAMY

The Court, at the stage of admission, made the following :

ORDER:

This writ petition is filed seeking a declaration that the action of the respondents in proposing to award contract of sanitation, cleaning of toilets and floor of third and fourth respondent hospitals basing on the tender notification dated 04.02.2004 is arbitrary and illegal.

On behalf of respondents, a counter-affidavit has been filed stating that on the basis of the said tender notice, tenders have already been finalized and the work in question has been allotted in favour of one M/S Pakala Harijana Labour Co-operative Societies Limited, who is the lowest bidder.

Since the tenders have already been finalized, and the work is awarded in favour of a third party, if the petitioner is aggrieved, it is for him to institute appropriate proceedings impleading the party in whose favour the work has been awarded, and no relief as prayed for can be granted in this writ petition.

Accordingly, granting leave and liberty to the petitioner the writ petition is disposed of. No costs.

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08.04.2005

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To

1 The Commissioner, A.P. Vaidya Vidhana Parishad, Sultan Bazar, Hyderabad.
2 The District Co.ordinator of Hospatial Services, District head Quarters Hospital, Ongole, Prakasam District
3 The Medical Superintendent, District Hospital Ongole,

Prakasam District.
4 The Medical Superintendent, MCH. Hospital, Ongole,
Prakasam District.

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